

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,
ex rel. HICKEY MARINE
ENTERPRISES, INC., a
Washington Corporation,

CV 03-1296-HU

ORDER

Plaintiff,

v.

EAI INTERNATIONAL, INC., a
California Corporation, and
EDWARD V. HILL,

Defendants.

EAI INTERNATIONAL, INC., and
MELODIE Z. SCOTT, personal
representative of the ESTATE
of EDWARD HILL,

Third-Party Plaintiffs,

v.

ALASKA-OREGON OFFSHORE MARINE,
INC., an Oregon Corporation,
d.b.a. OREGON OFFSHORE TOWING,

Third-Party Defendant.

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BROWN, Judge.

Magistrate Judge Dennis J. Hubel issued Findings and Recommendation (#72) on February 3, 2005, in which he recommended this Court grant Third-Party Defendant Alaska-Oregon Offshore Marine's Motion for Summary Judgment (#58) on the claims asserted against it by Defendant and Third-Party Plaintiff Melodie Z. Scott as personal representative for the Estate of Edward V. Hall, dismiss Scott's claims against Offshore, and grant Offshore leave to submit a motion for attorneys' fees and costs.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#72). Accordingly, the Court **GRANTS** Third-Party Defendant Alaska-Oregon Offshore Marine's Motion for Summary Judgment (#58) on the claims asserted against it by Defendant and Third-Party Plaintiff Melodie Z. Scott as personal representative for the Estate of Edward V. Hall, **DISMISSES** Scott's claims

against Offshore, and **GRANTS** Offshore leave to submit a motion for attorneys' fees and costs.

IT IS SO ORDERED.

DATED this 20th day of April, 2005.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge